

REMARKS

Reconsideration of this application, as amended, is requested. Claims 1-26 and 29-42 remain in the application. Claims 1 and 13 have been amended. It is respectfully submitted no new matter has been added by these claim amendments.

Claims 1-26 and 29-42 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0078456 to Hudson et al. (hereinafter Hudson) as set forth on pages 2-17 of the Office Action dated July 19, 2007. In regards to claim 1, the Examiner asserted the generating step, associating step, identifying step, playing step and receiving step of claim 1 are disclosed in FIG. 4 and paragraph [0002] of Hudson. In regards to the "identifying the time marker of said media selection that corresponds to the time receipt of said user input" step of claim 1, the Examiner asserted this step is disclosed in at least paragraph [0033] and by item 500 in FIG. 5 of Hudson. Furthermore, in regards to the correlating step, the Examiner pointed to paragraph [0033] of Hudson and states "it is noted that the claimed *time data* is interpreted to read on Hudson's time code marker embedded in the video stream". Additionally, in response to applicant's Amendment dated April 23, 2007, the Examiner asserted the correlating step "does not appear to support Applicant's argument that the time marker is used to determine a communicative link associated with that time of the media selection. The claim language merely recites 'correlating' and 'activating', which implies two simultaneous actions and not one action resulting from another preceding action. Thus, the claim language does not require a look-up mechanism to activate a communicative link ...". In regards to independent claim 13, the Examiner asserted " ...it is respectfully noted that Applicant appears to claim that the 'time data' recited in amended claim 13 to be the same

entity that has the same function as the 'time marker' previously recited in canceled claim 27, a claim that appears to contradict Applicant's assertion made previously in Applicant's remarks regarding amended claim 1".

The method of claim 1 has been amended to more clearly define how the time marker is used to determine which communicative link is to be activated. The system of claim 13 has been amended in similar fashion to amended claim 1. It is to be appreciated that the method and system of the present application utilize an enhancement registry for a media selection which includes at least one communicative link to deliver additional materials to a user. Each of the at least one communicative link is associated with time data associated with the media selection. Upon a user input being received, a time marker is identified corresponding to the time of receipt of the user input. The identified time marker is then correlated to the time data of the media selection to determine the communicative link associated to the time data associated to the media selection. Subsequently, the determined or identified communicative link is activated.

Hudson is directed to a system and method for interacting with video by displaying one or more interface links associated with video content being displayed, pausing the video content when an interface link is interacted with, allowing the user to view ancillary content the interface link is linked to over a network, and un-pausing the video content after the user elects to continue viewing the video content. The interface links are delivered to the user with the video content. The interface links "may be delivered separately from the video stream such that the links overlay the video stream content when displayed to the user (a "floating" interface link), or the interface links may be

embedded in the video stream itself" (see paragraph [0011] and [0030]-[0032] of Hudson).

The interface links may be delivered as a timed program,

In such an instance, interface links may be preprogrammed to interact with, for example, time code markers embedded in the video stream, such that one or more interface links may appear or disappear based on the time elapsed. The association of interface links with time code markers may be achieved by known video editing or encoding applications. The appearance of a time code marker may be triggered when a time code window of the application delivering the video, for example, a media player, reaches a selected frame. For example, an interface link may appear in the right hand corner of the user's display after five minutes have elapsed during a video presentation to coincide with the entrance of an object of interest... (see paragraph [0033] of Hudson)

Therefore, in one form or another, the interface link must be delivered or sent to the user based on an elapsed time before a user can interact with the link. The interactive link are not delivered based on a user input.

Amended claim 1 is directed to a method of enhancing existing media content including "a) generating and storing an enhancement registry for a media selection from said media content, said enhancement registry including at least one time data associated with said media selection and at least one communicative link to additional materials, wherein each of said at least one communicative links is associated with a different time data associated with said media selection; b) associating a media storage medium containing said media selection with a corresponding media player; c) associating said media selection with time markers related to the stages of said media selection and to at least one of said time data; d) playing the media selection on said corresponding media player for delivery to a user; e) receiving a user input and identifying the time of receipt; f)

identifying the time marker of said media selection that corresponds to the time of receipt of said user input; g) correlating said identified time marker with at least one of said time data of said enhancement registry to determine a communicative link associated with the at least one of said time data; and h) activating said determined communicative link associated with the at least one of said time data in response thereto, to deliver additional material related to a stage of said media selection to a user in accordance with the receipt of a user input" (Emphasis added). The method of amended claim 1 activates a communicative link in an enhancement registry in response to "receiving a user input", by "identifying the time marker" associated with a media selection "that corresponds to the time of receipt of said user input;" and correlating the identified time marker with "at least one of said time data of said enhancement registry to determine a communicative link associated with the at least one of said time data" and "activating said determined communicative link". Hudson does not disclose receiving a user input and then identifying a time of the user input to determine a communicative link associated with that time of the media selection. In paragraph [0033] of Hudson, Hudson discloses using time code markers to determine when to display or to deliver an interface link to a user, i.e., "one or more interface links may appear or disappear based on time elapsed". The time code markers of Hudson are not used, in response to a user input, as a look-up mechanism to activate a communicative link of an enhancement registry. Hudson's "time code markers" are used to enable the "interface links" to be responsive to a user input, and without their action the links are ineffective and produce no response to the input. In contrast, the claimed time markers, which are distinct from the claimed "time data", are directly responsive to a user input and produce the delivery of additional materials to the user,

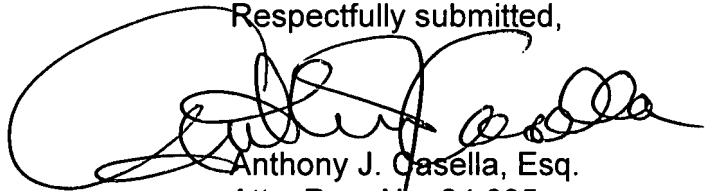
through their correlation with the time data and communicative links of an enhancement registry. No additional enabling is involved as in Hudson. Therefore, it is respectfully submitted that the claimed method differs essentially from the teaching of Hudson so that amended claim 1 is patentably distinct and not anticipated by Hudson. Furthermore, it is respectfully submitted that dependent claims 2-12, depending directly or indirectly from amended claim 1, are patentable for at least the reasons stated above in regard to amended claim 1.

Amended claim 13 is directed to a media enhancement system including "a) a media player structured to deliver a media selection to a user; b) an enhancement registry associated with said media selection, said enhancement registry including at least one time data associated with said media selection and at least one communicative link to additional materials, wherein each of said at least one communicative links is associated with a different one of said time data; c) a user interface operatively associated with said media player and structured to receive a user input at least during delivery of said media selection by said media player; d) said media player structured to receive an indication from said user interface of the time of receipt of a user input to identify a time marker associated with said media selection that corresponds to the time of receipt of said user input; and e) an activation assembly structured to access said enhancement registry, correlate the identified time marker with at least one of said time data of said enhancement registry to identify one of said at least one communicative links associated with the at least one of said time data and to correspondingly activate said identified communicative link for delivery of said additional materials to the user in accordance with the receipt of a user input" (Emphasis added). For at least the reasons cited above in relation to claim 1, it

is respectfully submitted amended claim 13 is patentably distinct and not anticipated by Hudson. Furthermore, it is respectfully submitted that dependent claims 14-26 and 29-42, depending directly or indirectly from amended claim 13, are patentable for at least the reasons stated above in regard to amended claim 13.

In view of the preceding amendment and remarks, it is submitted that the claims remaining in the application are directed to patentable subject matter, and allowance is solicited. The Examiner is urged to contact applicant's attorney at the number below if the Examiner believes a telephone or personal interview would facilitate the prosecution of this application.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Anthony J. Casella, Esq.

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